

Minutes of August 4, 1971 continued

- (b) there be no increase in tax rates for the purposes of the district during the four-year period. This limitation to apply regardless of any changes that might occur in the present general business license tax, which is not a part of the tax for this district.

2. Mr. Joe Newfield, corner of Pine and School Streets, spoke giving the background of the Downtown Improvement District. He stated if the Improvement Area is approved it (a) would not provide for removal of the parking meters in the downtown area; (b) would limit any increase in tax rate for the next four years; (c) would not provide for any permanent decorating within the district; and (d) monies derived from the district would not provide for obtaining any off-street parking. Mr. Newfield urged approval of the proposal.

3. Mr. Fred Weybret, Lodi News-Sentinel, 125 North Church Street, discussed the tax structure for the proposed district.

4. Mr. Jack Bowen, T.A. Bowen & Son, 218 South School Street, discussed the need for formation of the Business Improvement Area.

5. Mr. Michael Lapenta, c/o The Toggery, 431 South Lee.

6. Mr. Biff Baffoni, 540 Kensington Way.

7. Mr. Marlo Kerner, 225 North Orange Avenue.

8. Mr. Syl Leonardini, 100 West Vine Street

9. Mr. Victor Meyer, 41 South Sacramento Street.

10. Mr. Bill Graffigna, 10 East Lockeford Street.

11. Mr. Fred Heagarty, 210 West Pine Street.

12. Mr. Jack Carter, 17 West Pine Street.

13. Dr. Frank Johnson, 402 West Elm Street

Speaking in opposition to the proposal were the following persons:

1. Mr. Marlowe Weil, 2 West Lockeford Street. Mr. Weil submitted petitions bearing 144 signatures of persons opposing the formation of the Downtown Improvement Area.

2. Mr. Jerry Cook, 224 West Pine Street.

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3. Mr. Bill Canepa, 131 South Orange Avenue.
4. Mr. E. C. Dean, 7 North Sacramento Street.
5. Mr. Frank Guglimetti, 320 South Sacramento Street.
6. Mr. John Korphage, Longs Drug Store, 100 West Lodi Avenue. Mr. Korphage presented a letter from Longs Drug Store urging the Council to deny approval of the proposal; or, if approved, to exclude Longs Drug Store from the district.

There being no other persons wishing to be heard on the matter, the public portion of the hearing was closed.

City Attorney Mullen suggested the Council request that all protests of the Business Improvement Area be submitted in writing, on or before August 18, 1971 and dated on or after August 4, 1971. On motion of Councilman Kirsten, Ehrhardt second, the Council continued the public hearing on the matter to September 1, 1971 and authorized the City Clerk to accept protests concerning the formation of the Business Improvement Area; said protests to be in writing, individually or collectively, dated on or after August 4, 1971 and received by the City Clerk by 8:00 p.m. August 18, 1971.

RECESS

The Mayor declared a five-minute recess and the Council reconvened at 9:55 p.m.

VACATE EASEMENTS NE CORNER HAM & VINE

Notice thereof having been published in accordance with law, Mayor Katnich called for hearing on the proposed abandonment of two public utility easements located in the parcel at the northeast corner of Ham Lane and Vine Street (Fairmont Medical Arts Center).

Planning Director Schroeder presented a drawing of the easements proposed for abandonment.

There was no one in the audience wishing to be heard on the matter and the public portion of the hearing was closed.

Councilman Schaffer moved the City Council adopt an Order vacating the easements as recommended. The motion was seconded by Councilman Hughes and carried by unanimous vote.

PLANNING COMMISSION

ACTIONS OF INTEREST

At its meeting of July 26, 1971 the Planning Commission took the following actions of interest to the City Council:

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1. Denied the request of Mrs. Edna Stafford for a change in zoning from the R-2, Single Family Residential District to the R-MD, Residential-Medium Density District for Lot 24 (except the south 3 feet), Lakeside Park (819 James Street).
2. Approved the request of Mr. J. L. McIntosh for a Variance to reduce the required front yard from 20 feet to 12 feet to permit the erection of a dwelling on an odd-shaped parcel at 250 Ticknor Court in an area zoned R-1, Single Family Residential.
3. Approved the request of Mrs. Rose Fischer, c/o Milton Fischer, for a Variance to reduce the required rear yard from 10 feet to 5 feet to permit the addition of a bedroom at 117 South Garfield Street in an area zoned R-HD, Residential High Density.
4. Recommended to the San Joaquin County Planning Commission approval of the request of Mr. Dan Maranise for a change in zoning from the C-1, Neighborhood Commercial District, to the R-4, Residential District for a parcel on the west side of Orange Street from 58 feet to 158 feet north of Indiana Street, Woodbridge.
5. Recommended that the City Council abandon two Public Utility Easements at the northeast corner of Ham Lane and Vine Street at the Fairmont Medical Arts Center, said easements to be replaced with a new easement for power lines, the location of which shall be approved by the Public Works Director.

COMMUNICATIONS

ABC LICENSE

Notice of Application for Alcoholic Beverage License was received for F. M. Distributing Company, Inc., Fred L. Muther, Margaret A. Muther and John C. Kemp, 100 South Frontage Road, beer and wine importers and wholesalers, person-to-person transfer.

E. STAFFORD APPEAL

A letter was received from Mrs. Edna Stafford, 819 James Street, appealing the decision of the Planning Commission in denying her request for rezoning from the R-2 District for Lot 24 (except the South 3 feet) of Lakeside Park. On motion of Councilman Kirsten, Schaffer second, the matter was set for public hearing on August 18, 1971.

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REPORTS OF THE CITY MANAGER

CLAIMS	Claims in the amount of \$409,808.28 were approved on motion of Councilman Ehrhardt, Schaffer second.
S. J. COUNTY SAFETY COUNCIL AGREEMENT	The City Manager presented the usual agreement from the San Joaquin County Safety Council for services during 1971-72 fiscal year for which the City will be contributing \$1610. On motion of Councilman Schaffer, Kirsten second, the City Council adopted Resolution No. 3536 approving the agreement and authorizing the mayor to sign same.
RES. NO. 3536	
W.I.D. AGREEMENT	City Manager Graves presented an agreement with the Woodbridge Irrigation District providing for the relocation of the Kettleman Lane storm drainage pumping installation to a site in A-2 Basin at Century Boulevard. He explained that the agreement called for increasing the City's payment for canal maintenance from a flat \$500 per year to a payment of \$1.00 for each acre within the boundaries of the City. Current acreage is 4,541. He recommended approval of the agreement.
RES. NO. 3537	On motion of Councilman Kirsten, Ehrhardt second, the City Council adopted Resolution No. 3537 approving the agreement with the woodbridge Irrigation District and authorized the Mayor to sign the agreement on behalf of the City.
DELINQUENT ASSESSMENT CAPELL MANOR	On motion of Councilman Kirsten, Hughes second, the Council adopted Resolution No. 3538 providing for the collection of delinquent assessments for the street light construction in the Capell Manor Street Lighting District by the County Tax Collector.
RES. NO. 3538	
DELINQUENT ASSESSMENT CONCORD ST.	On motion of Councilman Schaffer, Hughes second, the Council adopted Resolution No. 3539 providing for the collection of the delinquent assessments for the street light construction in the Concord Street Street Lighting District by the County Tax Collector.
RES. NO. 3539-A	
SUPPLEMENTAL ALLOCATION - 12" STORM DRAIN	The City Manager presented a request from the Superintendent of Utilities for approval of a Supplemental Allocation in the amount of \$2,000 for installation of 12-inch storm drain from Well No. 12 to the existing catch basin on West Lane. The City Manager recommended this request be approved. On motion of Councilman Kirsten, Ehrhardt second, the Council approved the Supplemental Allocation in the amount of \$2,000.
COUNCIL CHAMBERS	The City Manager reported that Mr. Arlie Preszler, architect for the remodeling of the Council Chambers, had been unable to prepare further information for this meeting.

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ORDINANCES

UTILITY OUTLAY
& CAPITAL
IMPROVEMENT
BUDGET

ORD. NO. 958
ADOPTED

ORDINANCE NO. 958, entitled, "AN ORDINANCE ADOPTING A UTILITY OUTLAY AND CAPITAL IMPROVEMENT BUDGET FOR THE CITY OF LODI FOR THE FISCAL YEAR BEGINNING JULY 1, 1971 AND ENDING JUNE 30, 1972," having been introduced at a regular meeting on July 21, 1971, was brought up for passage on motion of Councilman Kirsten, Schaffer second. Second reading was omitted after reading by title and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes, Kirsten,
Schaffer and Katnich

Noes: Councilmen - None

Absent: Councilmen - None

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 10:20 p.m. on motion of Councilman Kirsten.


Attest: BESSIE L. BENNETT
City Clerk